

IN THE SUPREME COURT OF THE STATE OF DELAWARE

AHSAHN DICKSON,	§
	§ No. 142, 2012
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court of
v.	§ the State of Delaware, in and for
	§ New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 1103015295
	§
Plaintiff Below-	§
Appellee.	§

Submitted: April 4, 2012
Decided: April 10, 2012

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

ORDER

This 10th day of April 2012, it appears to the Court that:

(1) On March 22, 2012, the Court received the appellant's notice of appeal from the Superior Court's February 17, 2012 sentencing order. Pursuant to Supreme Court Rule 6, a timely notice of appeal from the February 17, 2012 order should have been filed on or before March 19, 2012.

(2) On March 22, 2012, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why his appeal should not be dismissed as untimely filed. The appellant filed his response to the notice to show cause on April 4, 2012. The appellant states

that he did not have access to the law library and that he is having family problems. The appellant provides no other explanation for his untimely filing.

(3) Pursuant to Rule 6(a) (ii), a notice of appeal must be filed within 30 days of the date sentence is imposed. Time is a jurisdictional requirement.¹ A notice of appeal must be received by the Clerk within the applicable time period in order to be effective.² An appellant's *pro se* status does not excuse a failure to comply strictly with the jurisdictional requirements of Rule 6.³ Unless the appellant can demonstrate that his failure to file a timely notice of appeal is attributable to court-related personnel, his appeal may not be considered.⁴

(4) There is nothing in the record before us reflecting that the appellant's failure to file a timely notice of appeal is attributable to court-related personnel. Consequently, this case does not fall within the exception to the general rule that mandates the timely filing of a notice of appeal. Thus, the Court has concluded that this appeal must be dismissed.

¹ *Carr v. State*, 554 A.2d 778, 779 (Del. 1989).

² Supr. Ct. R. 10(a).

³ *Carr v. State*, 554 A.2d at 779.

⁴ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice